IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.666 OF 2004

Tejpal M. Shah ...Appellant
Vs.
Kanhaiyalal Bansilal Verma ...Respondent

Shri R.G. Ketkar for the Appellant.

CORAM : A. S. OKA, J.
DATE : AUGUST 04, 2006.

P.C.:

1. Heard Shri Ketkar appearing for the Appellant.

Second Appeal is admitted on following substantial questions of law:

(i) Whether the courts below committed an error by dismissing the suit filed by the Appellant even after holding that execution of the document at Exhibit 18 was duly proved and the stamp paper on which the said document was typed was purchased by the Respondent-Defendant?

(ii) Whether both the courts below committed an error by ignoring that the case made out by the Respondent that he never knew the Appellant was established to be false on evidence in as much as the Respondent admitted that the Appellant

was an attesting witness to one of the documents executed by him?

2. Printing is dispensed with. The Appellant is directed to file a private paper-book alongwith sufficient number of copies thereof within a period of one year from today. If the paper-book is not filed within the stipulated period, the Appeal will stand dismissed for want of prosecution without further reference to the court.

JUDGE